

## UNITED STATES DISTRICT COURT

VICTORIANO LOPEZ,

Plaintiff,

VS.

NEVADA DEPARTMENT OF  
CORRECTIONS, *et al.*,

Defendants.

Case No.: 3:17-CV-00732-RCJ-WGC

ORDER ADOPTING AND ACCEPTING  
REPORT AND RECOMMENDATION OF  
UNITED STATES MAGISTRATE JUDGE  
(ECF NO. 93)

Before the Court is the Report and Recommendation of United States Magistrate Judge William G. Cobb, (ECF No. 93<sup>1</sup>) entered on April 13, 2021, recommending that the Court grant and deny in part Plaintiff's Motion for Leave to Amend (ECF No. 78). No objection to the Report and Recommendation has been filed.

This action was referred to Magistrate Judge Cobb under 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

<sup>1</sup> Refers to Court's docket number.

1 The Court has considered the pleadings and memoranda of the parties and other relevant  
2 matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.

3 **IT IS HEREBY ORDERED** that Magistrate Judge Cobbs's Report and  
4 Recommendation (ECF No. 93) is **ADOPTED and ACCEPTED**.

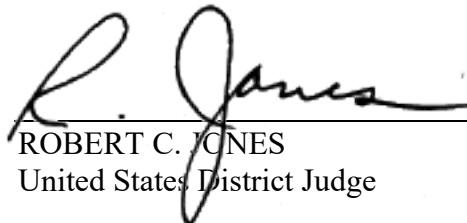
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6 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Leave to Amend (ECF No. 78)  
7 is **GRANTED AND DENIED IN PART**. The motion is granted only insofar as Plaintiff  
8 corrects the factual allegations concerning the Eighth Amendment claim against Drs. Adamson  
9 and Aranas, and insofar as he seeks to add Dr. Minev as a defendant in his official capacity  
10 (which is appropriate under Fed. R. Civ. P. 25(d)). The motion is denied insofar as Plaintiff seeks  
11 to add NODC as a defendant and assert Eighth Amendment and ADA claims against NDOC.  
12

13 **IT IS FURTHER ORDERED** that Drs. Adamson and Aranas shall file a responsive  
14 pleading to the First Amended Complaint within 21 days from entry of this Order.  
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16 **IT IS FURTHER ORDERED** that the deadline to file dispositive motions is 60 days  
17 from entry of this Order.

18 **IT IS SO ORDERED.**

19 Dated this 29<sup>th</sup> day of April, 2021.

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23 ROBERT C. JONES  
24 United States District Judge  
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